

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2201 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

CHAUHAN MANJULABEN DAHYABHAI

Versus

STATE OF GUJARAT

Appearance:

MR RR TRIPATHI for Petitioners

MR VB GHARANIA, AGP for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 20/08/1999

ORAL JUDGEMENT

Heard learned counsel for the parties.

The petitioner Nos. 1, 2 & 3 were appointed as lecturers in different subjects in Government Arts College, Vansada, Dist. Valsad on ad-hoc and temporary basis. They have to undergo the selection for this post through Gujarat Public Service Commission. It is not in dispute

that Gujarat Public Service Commission has already started process for making selection on these posts. In the Special Civil Application, the prayer has been made for direction to the respondents to give the benefit of annual increment to the petitioners from the dates as mentioned in the Special Civil Application. The continuation of the petitioners as lecturers now depend on ultimate result of the selection to be made by the Gujarat Public Service Commission.

In case they are selected for the post then there may be different consideration of the court in this matter and where they are not selected then also there may be although a different approach of the court. It is the stage where in view of the subsequent development which has taken place, I do not consider it to be appropriate to decide this matter finally. After the result of the Gujarat Public Service Commission this matter may be considered for final decision. The interest of justice will be met in case at this stage this writ petition is disposed of with the direction that after the declaration of the result of the selection by the Gujarat Public Service Commission for the post of lecturers, it is open to the petitioner, if still they feel that they have to press for this relief as made in this Special Civil Application by filing a simple note to pray for revival of this Special Civil Application.

The rule and Special Civil Application stand disposed of accordingly with no order as to costs.

(S.K.Keshote, J.)

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